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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,697	11/08/2001	Eric Verschuere	214327	7059
23460	7590	10/02/2003		
LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6780				
			EXAMINER FUNK, STEPHEN R	
			ART UNIT 2854	PAPER NUMBER

DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/010,697

Applicant(s)

VERSCHUEREN ET AL.

Examiner

Stephen R Funk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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The abstract of the disclosure is objected to because it contains the legal phraseology "means". Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: On page 5 lines 7 and 8 reference to specific claim numbers should be avoided as the claims may be renumbered if a patent issues from this application. Appropriate correction is required.

Claim 3 is objected to because of the following informalities:

In claim 3 line 2 "continuous" should be --uniform-- so as to be consistent in terminology with claim 1 line 2. In line 3 "a substrate" should be --the substrate-- to reflect that the substrate has been previously recited.

Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 - 4, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. (EP 802,457) in view of Koguchi et al. (US 6,082,263) and Muth (US 5,623,877). Vermeersch et al. teach an off-press plate making apparatus comprising means for applying (220) an image recording layer on a substrate (240) and means for removing the image from the substrate (column 4 lines 5 - 10 and column 6 lines 16 - 20). See the entire document of Vermeersch et al., in particular, column 5 lines 3 - 11 and Figure 1. It is not entirely clear whether the means for removing is on or off press. Koguchi et al. teach an off-press plate making apparatus including means (5) for removing a previous lithographic image.

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See column 15 line 34 - column 16 line 64 and Figures 4 and 5 of Koguchi et al., for example. Muth teaches in column 1 lines 23 - 29 the desirability of avoiding idle time of a printing press by performing non-printing operations off press. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al. with the means for removing the lithographic image off-press in view of Koguchi et al. to consolidate the plate making operations and Muth teaching the desirability of performing such operations off-press so as to reduce idle time of the printing press. With respect to claim 2 note the means for exposing (210) and means for processing (230) of Vermeersch et al. With respect to claim 3 see column 4 lines 48 - 49 of Vermeersch et al. With respect to claim 4 see column 4 lines 5 - 10 and column 6 lines 16 - 20 of Vermeersch et al. With respect to claim 7 see column 5 lines 3 - 11 of Vermeersch et al. and Figure 4 of Koguchi et al. With respect to claim 8 note the coupling means (24) in Figure 4 of Koguchi et al. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al., as modified above, with the mechanical coupling means in view of Koguchi et al. so as to automatically transport the printing plates from the plate making apparatus to the printing press.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. in view of Koguchi et al. and Muth as applied to the claims above, and further in view of Barnett et al. (US 5,308,746). Vermeersch et al. do not teach the specific cleaning liquid. Barnett et al. teach a cleaning liquid comprising an organic phase and an aqueous phase. See column 2 lines 3 - 12 of Barnett et al., for example. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al. with a cleaning emulsion in view of Barnett et al. so as to provide superior cleaning of the image. With

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respect to claim 5 it would have been obvious to one of ordinary skill in the art to provide means for combining the two different liquids so as to simply prepare the homogenous cleaning liquid. With respect to claim 6 it would have been obvious to one of ordinary skill in the art to separate the phases of the cleaning liquid so as to more easily eliminate and/or recycle the environmentally hazardous liquids.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. in view of Koguchi et al. and Muth as applied to claims 1 - 4, 7, and 8 above, and further in view of Rombult et al. (US 6,085,657). Koguchi et al. do not specifically teach stacking the printing plates between the plate-making apparatus (1) and the printing press (2). Note the multicolor printing presses of Koguchi et al. in Figures 6 and 7. Rombult et al. teach the conventionality of a providing a stacker before (142) and after (172) an exposure apparatus. See column 3 lines 35 - 41 of Rombult et al., for example. Rombult et al. is relied upon to teach storing stacked printing plates between operations. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al., as modified by Koguchi et al. and Muth, with stackers between the plate-making apparatus and the printing press in view of Rombult et al. so as to accommodate multiple printing masters during operation of the printing press. With respect to claim 10 see column 13 lines 25 - 27 of Koguchi et al.

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

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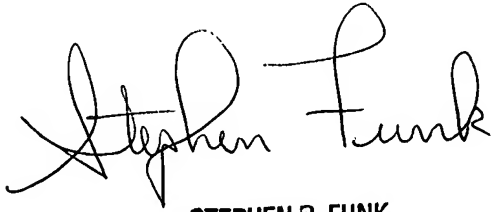
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen R. Funk whose telephone number is (703) 308-0982. The examiner can normally be reached Monday - Thursday from 7:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached on (703) 305-6619.

The fax phone number for *official* papers is (703) 308-7722, 7724. The fax number for those wishing an auto-reply verifying receipt of *official* papers is (703) 872-9318 or for After Final actions is (703) 872-9319. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

SRF
September 30, 2003



STEPHEN R. FUNK
PRIMARY EXAMINER